

(G.C.P.)J 455 (5,00,000)-11.2001)

Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.7283 of 2005
In
Criminal Revision Application No.386 of 2005

Office Notes, Office Memoranda
of Coram, appearances, Court's
order or directions and
Registrar's order.

Court's or Judge's orders

None present.

CORAM: R.M.S.KHANDEPARKAR
&
SMT.R.S.DALVI, JJ

DATED: 6TH MARCH, 2006.

P.C.

. None present. Perused the application. This application is for condonation of delay of 59 days in presenting the criminal revision application. Cause of delay has been disclosed as inadvertence on the part of the advocate in ascertaining whether the appeal to be filed or revision, and in the process, there was a delay in filing the present revision application. The application, however, nowhere discloses that the advocate had taken due care to ascertain the exact

position of law in relation to the challenge to the impugned order, and therefore, mere inadvertence on the part of the advocate in ascertaining whether the appeal to be filed or the revision, cannot be a justification for condonation of delay. Even on merit, there is no substance in the revision, as the Family Court has awarded maintenance of Rs.2,000/- per month on detail analysis of the materials on record. Being so, in the absence of any substance in the contention and no sufficient cause being shown for condonation of delay of 59 days in filing the criminal revision application, the application is dismissed.

(R.M.S.KHANDEPARKAR, J)

(SMT.R.S.DALVI, J)